

From:

(b)(6)(b)(7)(C)

To:

DRT OPS DIV

(b)(7)(E)

(b)(7)(E)

Cc:

Bcc:

Subject: FW: Zero Tolerance Prosecutions

Date: Fri May 04 2018 20:00:28 EDT

Attachments:

Here is the guidance we will follow until things are clarified.

(b)(7)(E)

(b)(7)(E)

Thanks

(b)(6)(b)(7)(C)

From: (b)(6)(b)(7)(C)

Sent: Saturday, May 05, 2018 12:47:53 AM

To: EGS Supervisors

Subject: FW: Zero Tolerance Prosecutions

All,

As we await guidance on some of the language used in the attachment all we can do is apply common sense and our own judgement.

(b)(5)

Until we get further guidance

(b)(5), (b)(7)(E)

(b)(7)(E)

(b)(7)(E)

This isn't

all encompassing so if something weird comes up, call.

(b)(5)

Thanks

(b)(6)(b)(7)(C)

From: (b)(6)(b)(7)(C)
Sent: Saturday, May 05, 2018 12:08:06 AM
To: DRT-PAICS; DRT-DPAICS
Cc: (b)(6)(b)(7)(C)
Subject: Zero Tolerance Prosecutions

All,

More information will be forthcoming from Prosecutions, but we will begin 8 USC 1325 prosecutorial referrals for all amenable adults, to include adults that are part of family units, (b)(5), (b)(7)(E)
Please read the attached CONOP for further details on the efforts.

(b) (7)(E)

1. (b) (7)(E)
2. (b) (7)(E)
3. (b) (7)(E)
4. (b) (7)(E)
5. (b) (7)(E)

(b) (7)(E)

Reporting is still pending, but we will need each station to email the DRT PROS STAFF

(b)(7)(E) mailbox concerning any adults (b)(7)(E)
(b)(7)(E)

(b) (6), (b) (7)(C)

Division Chief
Del Rio Sector

(O) (b)(6)(b)(7)(C)
(C) (b)(6)(b)(7)(C)

From:

(b)(6)(b)(7)(C)

(b)(6)(b)(7)(C)

To:

BBT_PAIC_DPAIC

(b)(7)(E)

(b)(7)(E)

Cc:

BBT TASKINGS

(b)(7)(E)

(b)(7)(E)

(b)(7)(E)

(b)(6)(b)(7)(C)

(b)(6)(b)(7)(C)

Bcc:

Subject: FW: S1 Signed Action Memo Increasing Prosecutions

Date: Sun May 06 2018 15:56:13 EDT

Attachments: AG press release Zero tolerance 4.6.18.pdf
BBT CONOP.docx
Sector Prosecution Report Final.xlsx
Southwest Border Prosecutions 05042018.docx
Zero tolerance memo 4.6.18.pdf

Good afternoon,

Effective immediately, all amenable adults will be referred for prosecution under section 1325(a) of Title 8.

Please see specifics listed within the BBT CONOP for exclusions

(b)(7)(E)

(b)(7)(E)

Consistency in reporting and data integrity are crucial for the correct reporting to USBP HQ. Please ensure that the attached spreadsheet is completed daily (Excel spreadsheet). Each station must submit their spreadsheet by COB following PAIC review to BBT Operations.

(b) (7)(E)

(b) (7)(E)

(b) (7)(E)

I know the additional reporting is not fail-proof, however, until a Sharepoint reporting method is established, we will have to continue to report the numbers via daily emails.

As we receive additional information regarding reporting requirements, we will send it to the stations immediately.

Thank you,

(b) (6), (b) (7)(C)

Division Chief

Big Bend Sector

(b)(6)(b)(7)(C) Office

(b)(6)(b)(7)(C) Cell

(b)(6)(b)(7)(C)

From: HASTINGS, BRIAN S

Sent: Friday, May 04, 2018 4:01:07 PM

To: BP Field Chiefs; BP Field Deputies

Cc: PROVOST, CARLA (USBP); LUCK, SCOTT A (USBP); HUDSON, RICHARD M; (b)(6)(b)(7)(C)

(b)(6)(b)(7)(C) HUFFMAN, BENJAMINE C; (b)(6)(b)(7)(C) (AJO);

(b)(6)(b)(7)(C)

Subject: FW: S1 Signed Action Memo Increasing Prosecutions

SWB Chief's and Deputies,

Please see the attached, approved CONOP to develop a quickly scalable approach to achieve 100% immigration violation prosecution referrals for all amenable adults.

Border Patrol is authorized to implement increased Southwest Border Prosecutions, as outlined in the second attachment, (b)(7)(E).

(b)(5), (b)(6)(b)(7)(C), (b)(7)(E)

In a few moments, we will be sending out a manual spreadsheet to record declinations and purposes for declinations. [REDACTED] (b)(5)

[REDACTED] Accurate data will be critical to show our progress toward 100% prosecutions and to acquire additional assets (AUSAs, Marshall's support, detention space, etc.)

We will be hosting a teleconference call at 6:10 p.m. EST to discuss and answer any questions. The call in information will be out in a few minutes.

V/r,
Brian

JUSTICE NEWS

Department of Justice

Office of Public Affairs

FOR IMMEDIATE RELEASE

Friday, April 6, 2018

Attorney General Announces Zero-Tolerance Policy for Criminal Illegal Entry

Attorney General Jeff Sessions today notified all U.S. Attorney's Offices along the Southwest Border of a new "zero-tolerance policy" for offenses under 8 U.S.C. § 1325(a), which prohibits both attempted illegal entry and illegal entry into the United States by an alien. The implementation of the Attorney General's zero-tolerance policy comes as the Department of Homeland Security reported a 203 percent increase in illegal border crossings from March 2017 to March 2018, and a 37 percent increase from February 2018 to March 2018—the largest month-to-month increase since 2011.

"The situation at our Southwest Border is unacceptable. Congress has failed to pass effective legislation that serves the national interest—that closes dangerous loopholes and fully funds a wall along our southern border. As a result, a crisis has erupted at our Southwest Border that necessitates an escalated effort to prosecute those who choose to illegally cross our border," said Attorney General Jeff Sessions. "To those who wish to challenge the Trump Administration's commitment to public safety, national security, and the rule of law, I warn you: illegally entering this country will not be rewarded, but will instead be met with the full prosecutorial powers of the Department of Justice. To the Department's prosecutors, I urge you: promoting and enforcing the rule of law is vital to protecting a nation, its borders, and its citizens. You play a critical part in fulfilling these goals, and I thank you for your continued efforts in seeing to it that our laws—and as a result, our nation—are respected."

On April 11, 2017, Attorney General Jeff Sessions announced a renewed commitment to criminal immigration enforcement. As part of that announcement, the Attorney General issued a memorandum to all federal prosecutors and directed them to prioritize the prosecution of certain criminal immigration offenses.

Today's zero-tolerance policy further directs each U.S. Attorney's Office along the Southwest Border (i.e., Southern District of California, District of Arizona, District of New Mexico, Western District of Texas, and the Southern District of Texas) to adopt a policy to prosecute all Department of Homeland Security referrals of section 1325(a) violations, to the extent practicable.

Attachment(s):[Download Zero-Tolerance Memorandum](#)**Topic(s):**

Immigration

Component(s):[Office of the Attorney General](#)

4/6/2018

Attorney General Announces Zero-Tolerance Policy for Criminal Illegal Entry | OPA | Department of Justice

Press Release Number:

18-417

Updated April 6, 2018

**Southwest Border Prosecutions
Big Bend Sector
May 6, 2018**

Objective:

- Achieve increased level of Border Security in the Big Bend Sector (BBT) area of responsibility (AOR) through consistent application of all legal authorities via consequence delivery.

Key Messages: This effort is not new. Each day, those that violate our immigration laws are referred for prosecution. In order to ensure the sovereignty of our Nation and secure our borders, the Department of Justice (DOJ) and the Department of Homeland Security are maximizing their capabilities to deliver the appropriate consequences to violators. In order to break the cycle of those who seek to enter unlawfully, all amenable adults who violate 8 U.S.C. § 1325(a) will be referred for prosecution. This includes those adults who are accompanying children. We will not exempt adults who engage in this criminal activity, including those who choose to put their children in harm's way by crossing the border between the ports of entry.

Execution:

BBT, under the direction of the Chief Patrol Agent (CPA), will implement (b)(7)(E)

(b)(7)(E)

- Currently, BBT presents for prosecution all single adults who are amenable to prosecution under 8 U.S.C. § 1325(a). (b)(7)(E)
(b)(7)(E)
- (b)(5), (b)(7)(E)
(b)(5), (b)(7)(E)
- BBT has historical success in prosecuting all amenable 8 U.S.C. § 1325(a) cases. (b)(5)
(b)(5)
- (b)(7)(E) BBT will begin processing all adults who are amenable for prosecution under 8 U.S.C. § 1325(a). This includes adults who are part of family units. (b)(7)(E)
(b)(7)(E)
➤ (b)(7)(E)
➤ (b)(7)(E)
➤ (b)(7)(E)

**Southwest Border Prosecutions
Big Bend Sector
May 6, 2018**

- BBT has notified DOJ and Immigration and Customs Enforcement (ICE) partners of the initiative.
- (b)(7)(E)
- The CPA will consider DOJ requests for Sector resources to support increased prosecutions on a case-by-case basis, in coordination with Headquarters LEOD. All requests for Chief Counsel resources will be referred to the Office of Chief Counsel.
- The CPA will maintain current operations with respect to enforcement activities and prosecutions.
- All aliens referred for prosecution within each sector will be entered into the (b)(7)(E) module, with reasons for declinations recorded accurately.
- (b) (7)(E)

Prosecution Priorities in the following order:

1. (b)(7)(E)
2. (b)(7)(E)

Reporting Requirements: (weekly statistics)

- Report requests from U.S. Attorney or U.S. Marshal's Offices for CBP resources to assist with implementation.
- Report the number of apprehensions in the sector.
- Report the total number of prosecution referrals by sector for each priority throughout sector.
- Report the percentage of referred prosecutions for each priority.
- Report the percentage of declinations for each priority sub-categorized by reason.
- Report the total number of non-referred (for prosecution) by priority sub-categorized by reason.
- Any requests for reporting of prosecutions by SAUSAs from the Office of Chief Counsel, or reporting on Chief Counsel SAUSA resources, will be referred to the Office of Chief Counsel.

Metrics:

- Total number of prosecutions – increase or decrease

**Southwest Border Prosecutions
Big Bend Sector
May 6, 2018**

- Total number of apprehensions in relation to increase/decrease of prosecutions
- Demographic shift of aliens entering illegally
 - Number of OTMs entering illegally
 - Number of family units entering illegally
- Increase/decrease in presentations at the ports of entry

Execution Timeline:

1. [REDACTED] (b)(7)(E)

[REDACTED] (b)(7)(E)

United States Border Patrol Weekly Prosecution Report

Sector:	(b) (7)(E)	Official Station	Apprehensions
			(b)(7)(E)
			(b)(7)(E)

	(b)(7)(E)		
		(b)(7)(E)	(b)(7)(E)
(b) (7)(E)			
(b) (7)(E)		2	1%
(b) (7)(E)		5	3%
(b) (7)(E)		8	4%
(b) (7)(E)		4	2%
(b) (7)(E)		1	1%
		20	10%

(b) (7)(E)		Priority 1	Priority 2
(b) (7)(E)			

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United States Border Patrol

Weekly Prosecution Report		
(b)(7)(E)	Unofficial Statistics	2
(b)(7)(E)		
(b)(7)(E)	6	
(b)(7)(E)		
(b)(7)(E)		5
(b)(7)(E)	3	
(b)(7)(E)		
(b)(7)(E)		3
(b)(7)(E)	2	
(b)(7)(E)		
Other		
Total	11	10

(b) (7)(E)		Priority 1	Priority 2
(b) (7)(E)		2	
(b) (7)(E)			5
(b) (7)(E)			
(b) (7)(E)			
(b) (7)(E)			
(b) (7)(E)			

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(b) (7)(E)	Weekly Prosecution Report	
(b)(7)(E)	Unofficial Statistics	
(b)(7)(E)		4
(b)(7)(E)		
(b)(7)(E)		
Other		
Total	2	9

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United States Border Patrol
Weekly Prosecution Report
Unofficial Statistics

Only			
	(b) (7)(E)	(b) (7)(E)	(b) (7)(E)
	27	5	19%
	14	7	50%
	130	10	8%
	5	12	240%
	4	15	375%
	180	49	27%

Priority 3	Priority 4	Priority 5	Total
		3	3

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United States Border Patrol

Weekly Prosecution Report

Unofficial Statistics

			2
4			4
	3		9
		8	8
			5
3			6
	7		7
			3
			2
			0
			0
7	10	11	49

Priority 3	Priority 4	Priority 5	Total
			2
			5
			0
			0
8			8
	1		1

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United States Border Patrol

Weekly Prosecution Report

Unofficial Statistics

			0
			0
			4
			0
			0
			0
8	1	0	20

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United States Border Patrol
Weekly Prosecution Report
Unofficial Statistics

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CBP FOIA000274

United States Border Patrol
Weekly Prosecution Report
Unofficial Statistics

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CBP FOIA000275

United States Border Patrol
Weekly Prosecution Report
Unofficial Statistics

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CBP FOIA000276

United States Border Patrol
Weekly Prosecution Report

	(b)(7)(E)	official	St	(b)(7)(E)
				(b)(7)(E)
				(b)(7)(E)

	(b)(7)(E)	
	(b) (7)(E)	(b) (7)(E)
(b)(7)(E)		
(b)(7)(E)	2	1%
(b)(7)(E)	5	3%
(b)(7)(E)	8	4%
(b)(7)(E)	4	2%
(b)(7)(E)	1	1%
	20	10%

(b) (7)(E)		Priority 1	Priority 2
(b) (7)(E)			

United States Border Patrol

Weekly Prosecution Report		
(b) (7)(E)	Unofficial Statistics	2
(b) (7)(E)		
(b) (7)(E)	6	
(b) (7)(E)		
(b) (7)(E)	5	
(b) (7)(E)	3	
(b) (7)(E)		
(b) (7)(E)	3	
(b) (7)(E)	2	
(b) (7)(E)		
Other		
Total	11	10

(b) (7)(E)	Priority 1	Priority 2
(b) (7)(E)		
(b) (7)(E)	2	
(b) (7)(E)		
(b) (7)(E)		
(b) (7)(E)	1	
(b) (7)(E)		

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(b) (7)(E) Weekly Prosecution Report		
(b) (7)(E) Unofficial Statistics		5
(b) (7)(E)		
(b) (7)(E)		
(b) (7)(E)		
Other		
Total		3 5

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United States Border Patrol
Weekly Prosecution Report
Unofficial Statistics

Only			
	(b) (7)(E)	(b) (7)(E)	(b) (7)(E)
	27	5	19%
	14	7	50%
	130	10	8%
	5	12	240%
	4	15	375%
	180	49	27%

Priority 3	Priority 4	Priority 5	Total
		3	3

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United States Border Patrol

Weekly Prosecution Report

Unofficial Statistics

			2
4			4
	3		9
		8	8
			5
3			6
	7		7
			3
			2
			0
			0
7	10	11	49

Priority 3	Priority 4	Priority 5	Total
			0
			2
			0
	8		8
			1
			0

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United States Border Patrol

Weekly Prosecution Report

Unofficial Statistics

			0
			5
			0
		4	4
			0
			0
0	8	4	20

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United States Border Patrol
Weekly Prosecution Report
Unofficial Statistics

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United States Border Patrol
Weekly Prosecution Report
Unofficial Statistics

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United States Border Patrol
Weekly Prosecution Report
Unofficial Statistics

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CBP FOIA000285

United States Border Patrol
Weekly Prosecution Report

(b) (7)(E)	official	Statistics
		(b)(7)(E)

	(b)(7)(E)	
	(b) (7)(E)	(b) (7)(E)
(b)(7)(E)		
(b)(7)(E)	2	1%
(b)(7)(E)	5	3%
(b)(7)(E)	8	4%
(b)(7)(E)	4	2%
(b)(7)(C)	1	1%
	20	10%

(b)(7)(E)		Priority 1	Priority 2
(b)(7)(E)			

United States Border Patrol

Weekly Prosecution Report

(b) (7)(E)	Unofficial Statistics	2
(b) (7)(E)		
(b) (7)(E)	6	
(b) (7)(E)		
(b) (7)(E)	5	
(b) (7)(E)	3	
(b) (7)(E)		
(b) (7)(E)	3	
(b) (7)(E)	2	
(b) (7)(E)		
Other		
Total	11	10

(b) (7)(E)		Priority 1	Priority 2
(b) (7)(E)			
(b) (7)(E)			
(b) (7)(E)			
(b) (7)(E)			
(b) (7)(E)			
(b) (7)(E)			5

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(b)(7)(E)

United States Border Patrol

(b) (7)(E) Weekly Prosecution Report		
(b) (7)(E)	Unofficial Statistics	8
(b) (7)(E)		
(b) (7)(E)		
(b) (7)(E)		
(b) (7)(E)		
Other		
Total	8	5

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CBP FOIA000288

United States Border Patrol
Weekly Prosecution Report
Unofficial Statistics

Only			
	(b) (7)(E)	(b) (7)(E)	(b) (7)(E)
	27	5	19%
	14	7	50%
	130	10	8%
	5	12	240%
	4	15	375%
	180	49	27%

Priority 3	Priority 4	Priority 5	Total
		3	3

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Weekly Prosecution Report

Unofficial Statistics

			2
4			4
	3		9
		8	8
			5
3			6
	7		7
			3
			2
			0
			0
7	10	11	49

Priority 3	Priority 4	Priority 5	Total
4			4
			0
	2		2
			0
			0
			5

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United States Border Patrol

Weekly Prosecution Report

Unofficial Statistics

			0
			8
			0
	1		1
			0
			0
4	3	0	20

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Weekly Prosecution Report
Unofficial Statistics

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United States Border Patrol
Weekly Prosecution Report
Unofficial Statistics

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CBP FOIA000293

United States Border Patrol
Weekly Prosecution Report
Unofficial Statistics

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United States Border Patrol Weekly Prosecution Report

(b) (7)(E)	Official Station	Apprehensions
		(b)(7)(E)

	(b)(7)(E)	
	(b) (7)(E)	(b) (7)(E)
(b) (7)(E)		
(b) (7)(E)	7	2%
(b) (7)(E)	9	3%
(b) (7)(E)	14	5%
(b) (7)(E)	9	3%
(b) (7)(E)	6	2%
	45	15%

(b) (7)(E)		Priority 1	Priority 2
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Weekly Prosecution Report		
Unofficial Statistics		
(b) (7)(E)		2
(b) (7)(E)		
(b) (7)(E)	6	
(b) (7)(E)		
(b) (7)(E)		5
(b) (7)(E)	3	
(b) (7)(E)		
(b) (7)(E)		3
(b) (7)(E)	2	
(b) (7)(E)		
Other		
Total	11	10

(b) (7)(E)		Priority 1	Priority 2
(b) (7)(E)			
(b) (7)(E)			7
(b) (7)(E)			
(b) (7)(E)			
(b) (7)(E)			

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(b) (7)(E)	Weekly Prosecution Report	
(b)(7)(E)	Unofficial Statistics	
(b)(7)(E)		
(b) (7)(E)		
(b) (7)(E)		
(b) (7)(E)		
Other		
Total	9	7

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United States Border Patrol
Weekly Prosecution Report
Unofficial Statistics

only			
	(b) (7)(E)	(b) (7)(E)	(b) (7)(E)
	22	5	23%
	21	7	33%
	134	10	7%
	35	12	34%
	43	15	35%
	255	49	19%

Priority 3	Priority 4	Priority 5	Total
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Weekly Prosecution Report

Unofficial Statistics

			3
			2
4			4
	3		9
		8	8
			5
3			6
	7		7
			3
			2
			0
			0
7	10	11	49

Priority 3	Priority 4	Priority 5	Total
			0
			7
	9		9
			0
			0

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United States Border Patrol

Weekly Prosecution Report

			9
14		Unofficial Statistics	14
			0
			0
		6	6
			0
			0
14	9	6	45

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United States Border Patrol
Weekly Prosecution Report
Unofficial Statistics

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CBP FOIA000301

United States Border Patrol
Weekly Prosecution Report
Unofficial Statistics

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CBP FOIA000302

United States Border Patrol
Weekly Prosecution Report
Unofficial Statistics

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CBP FOIA000303

United States Border Patrol Weekly Prosecution Report

(b) (7)(E)	Unofficial Statistics	Apprehensions
		(b)(7)(E)

	(b)(7)(E)	
	(b) (7)(E)	(b) (7)(E)
(b) (7)(E)		
(b) (7)(E)	7	2%
(b) (7)(E)	9	3%
(b) (7)(E)	14	5%
(b) (7)(E)	9	3%
(b) (7)(E)	6	2%
	45	15%

(b) (7)(E)		Priority 1	Priority 2
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United States Border Patrol

(b)(7)(E) Weekly Prosecution Report		
(b)(7)(E) Unofficial Statistics		
(b)(7)(E)		2
(b)(7)(E)		
(b)(7)(E)	6	
(b)(7)(E)		
(b)(7)(E)		5
(b)(7)(E)	3	
(b)(7)(E)		
(b)(7)(E)		3
(b)(7)(E)	2	
(b)(7)(E)		
Other		
Total	11	10

(b) (7)(E)		Priority 1	Priority 2
(b) (7)(E)			
(b) (7)(E)			
(b) (7)(E)			
(b) (7)(E)	6		
(b) (7)(E)			

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CBP FOIA000305

United States Border Patrol

(b) (7)(E)	Weekly Prosecution Report		
(b) (7)(E)	Unofficial Statistics	9	
(b) (7)(E)			
(b) (7)(E)			
(b) (7)(E)			
(b) (7)(E)			
Other			
Total		15	0

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United States Border Patrol
Weekly Prosecution Report
Unofficial Statistics

s only			
	(b) (7)(E)	(b) (7)(E)	(b) (7)(E)
	22	5	23%
	21	7	33%
	134	10	7%
	35	12	34%
	43	15	35%
	255	49	19%

Priority 3	Priority 4	Priority 5	Total
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United States Border Patrol

Weekly Prosecution Report

Unofficial Statistics

			3
			2
4			4
	3		9
		8	8
			5
3			6
	7		7
			3
			2
			0
			0
7	10	11	49

Priority 3	Priority 4	Priority 5	Total
		7	7
			0
			0
			6
14			14

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United States Border Patrol

Weekly Prosecution Report

Unofficial Statistics

			0
			9
			0
			0
			0
		9	9
			0
14	0	16	45

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United States Border Patrol
Weekly Prosecution Report
Unofficial Statistics

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CBP FOIA000310

United States Border Patrol
Weekly Prosecution Report
Unofficial Statistics

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CBP FOIA000311

United States Border Patrol
Weekly Prosecution Report
Unofficial Statistics

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United States Border Patrol
Weekly Prosecution Report

(b) (7)(E)	Unofficial Statistics	Apprehensions
		(b)(7)(E)

(b) (7)(E)		
	(b)(7)(E)	(b)(7)(E)
(b) (7)(E)		
(b) (7)(E)	7	2%
(b) (7)(E)	9	3%
(b) (7)(E)	14	5%
(b) (7)(E)	9	3%
(b) (7)(E)	6	2%
	45	15%

(b) (7)(E)		Priority 1	Priority 2
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United States Border Patrol

(b) (7)(E) Weekly Prosecution Report		
Unofficial Statistics		
(b) (7)(E)		2
(b) (7)(E)		
(b) (7)(E)	6	
(b) (7)(E)		
(b) (7)(E)		5
(b) (7)(E)	3	
(b) (7)(E)		
(b) (7)(E)		3
(b) (7)(E)	2	
(b) (7)(E)		
Other		
Total	11	10

(b) (7)(E)		Priority 1	Priority 2
(b) (7)(E)		6	
(b) (7)(E)			
(b) (7)(E)			
(b) (7)(E)			
(b) (7)(E)			

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United States Border Patrol

(b) (7)(E)	Weekly Prosecution Report	9
(b) (7)(E)	Unofficial Statistics	
(b)(7)(E)		
(b)(7)(E)		
(b)(7)(E)	7	
(b)(7)(E)		
Other		
Total	13	9

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United States Border Patrol
Weekly Prosecution Report
Unofficial Statistics

s only			
	(b) (7)(E)	(b) (7)(E)	(b) (7)(E)
	22	5	23%
	21	7	33%
	134	10	7%
	35	12	34%
	43	15	35%
	255	49	19%

Priority 3	Priority 4	Priority 5	Total
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Weekly Prosecution Report

Unofficial Statistics

			3
			2
4			4
	3		9
		8	8
			5
3			6
	7		7
			3
			2
			0
			0
7	10	11	49

Priority 3	Priority 4	Priority 5	Total
			6
			0
			0
9			9
			0

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United States Border Patrol

Weekly Prosecution Report

Unofficial Statistics

			9
			0
	14		14
			0
			7
			0
			0
9	14	0	45

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United States Border Patrol
Weekly Prosecution Report
Unofficial Statistics

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Weekly Prosecution Report
Unofficial Statistics

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Weekly Prosecution Report
Unofficial Statistics

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United States Border Patrol Weekly Prosecution Report

(b) (7)(E)	Unofficial	Statistics	Apprehensions
		(b)(7)(E)	(b)(7)(E)
		(b)(7)(E)	(b)(7)(E)

(b) (7)(E)	
	<div> <div> <div>USBP Non-referred Cases</div> <div>Percentage Non-Referred</div> </div> <div> <div>(b) (7)(E)</div> <div>(b) (7)(E)</div> <div>(b) (7)(E)</div> <div>(b) (7)(E)</div> <div>(b) (7)(E)</div> <div>(b) (7)(E)</div> </div> <div> <div>27</div> <div>42</div> <div>66</div> <div>39</div> <div>21</div> <div>195</div> </div> <div> <div>2%</div> <div>3%</div> <div>4%</div> <div>3%</div> <div>1%</div> <div>13%</div> </div> </div>

(b) (7)(E)		Priority 1	Priority 2
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United States Border Patrol

Weekly Prosecution Report		
(b) (7)(E)	Unofficial Statistics	0
(b) (7)(E)	0	12
(b) (7)(E)	0	0
(b) (7)(E)	36	0
(b) (7)(E)	0	0
(b) (7)(E)	0	30
(b) (7)(E)	18	0
(b) (7)(E)	0	0
(b) (7)(E)	0	18
(b) (7)(E)	12	0
(b) (7)(E)	0	0
Other	0	0
Total	66	60

(b) (7)(E)	Priority 1	Priority 2
(b) (7)(E)	8	0
(b) (7)(E)	2	12
(b) (7)(E)	0	0
(b) (7)(E)	6	0
(b) (7)(E)	1	0

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United States Border Patrol

(b) (7)(E)	Weekly Prosecution Report	9	14
(b) (7)(E)	Unofficial Statistics	9	0
(b) (7)(E)		8	5
(b) (7)(E)		0	4
(b) (7)(E)		7	0
(b) (7)(E)		0	0
Other		0	0
Total		50	35

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United States Border Patrol
Weekly Prosecution Report
Unofficial Statistics

Total
1500

	(b) (7)(E)	(b) (7)(E)	(b) (7)(E)
	147	30	20%
	105	42	40%
	792	60	8%
	120	72	60%
	141	90	64%
	1305	294	23%

Priority 3	Priority 4	Priority 5	Total
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United States Border Patrol

Weekly Prosecution Report

Unofficial Statistics

0	0	18	18
0	0	0	12
24	0	0	24
0	18	0	54
0	0	48	48
0	0	0	30
18	0	0	36
0	42	0	42
0	0	0	18
0	0	0	12
0	0	0	0
0	0	0	0
42	60	66	294

Priority 3	Priority 4	Priority 5	Total
4	0	7	19
0	0	0	14
0	11	0	11
9	8	0	23
22	0	0	23

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United States Border Patrol

Weekly Prosecution Report

Unofficial Statistics

0	1	0	24
14	0	0	23
0	14	0	27
0	0	0	4
0	1	10	18
0	0	9	9
0	0	0	0
49	35	26	195

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United States Border Patrol
Weekly Prosecution Report
Unofficial Statistics

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United States Border Patrol
Weekly Prosecution Report
Unofficial Statistics

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CBP FOIA000329

United States Border Patrol
Weekly Prosecution Report
Unofficial Statistics

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Southwest Border Prosecutions
May 3, 2018

Objective:

- Achieve increased level of Border Security along the southwest border through consistent application of all legal authorities via consequence delivery.

Key Messages: This effort is not new. Each day, those that violate our immigration laws are referred for prosecution. In order to ensure the sovereignty of our Nation and secure our borders, the Department of Justice and the Department of Homeland Security are maximizing their capabilities to deliver the appropriate consequences to violators. In order to break the cycle of those who seek to enter unlawfully, all amenable adults who violate 8 U.S.C. § 1325(a) will be referred for prosecution. This includes those adults who are accompanying children. We will not exempt adults who engage in this criminal activity, including those choose to put their children in harm's way by crossing the border between the ports of entry.

Execution:

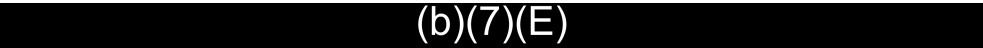


The southwest border sectors, under the direction of their Chief Patrol Agents (CPAs), will implement (b) (7)(E)

- (b) (7)(E) (b)(5)
- Sectors will provide localized, phased plans (b)(7)(E) while recognizing that our partners will need time to adjust resources to achieve shared DHS and DOJ goals.
- CPAs will expand and maintain this prosecution initiative (b) (7)(E)
- CPAs will consider DOJ request for Sector resources to support increased prosecutions on a case-by-case basis, in coordination with Headquarters LEOD. All requests for Chief Counsel resources will be referred to the Office of Chief Counsel.
- CPAs will maintain current operations in other (b)(7)(E) with respect to enforcement activities and prosecutions.
- All aliens referred for prosecution within each sector will be entered into the (b)(7)(E) module, with reasons for declinations recorded accurately.
- (b) (7)(E)

Prosecution Priorities in the following order:

1. (b)(7)(E)
2. (b)(7)(E)

Southwest Border Prosecutions
May 3, 2018

3.  (b)(7)(E)
4.  (b)(7)(E)
5.  (b)(7)(E)

Reporting Requirements: (weekly statistics)

- Report requests from U.S. Attorney or U.S. Marshal offices for CBP resources to assist with implementation.
- Report the number of apprehensions in targeted and non-targeted (b)(7)(E) by sector.
- Report the total number of prosecution referrals by sector for each priority in targeted and non-targeted (b)(7)(E) by sector.
- Report the percentage of referred prosecutions for each priority in targeted and non-targeted (b)(7)(E).
- Report the percentage of declinations for each priority sub-categorized by reason.
- Report the total number of non-referred (for prosecution) by priority sub-categorized by reason.
- Any requests for reporting of prosecutions by Special Assistant United States Attorneys (SAUSAs) from the Office of Chief Counsel, or reporting on Chief Counsel SAUSA resources, should be referred to the Office of Chief Counsel.

Metrics:

- Total number of prosecutions – increase or decrease
- Total number of apprehensions in relation to increase/decrease of prosecutions
- Demographic shift of aliens entering illegally
 - Number of OTMs entering illegally
 - Number of family units entering illegally
- Increase/decrease in presentations at the ports of entry

Execution Timeline:



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Southwest Border Prosecutions
May 3, 2018

(b) (7)(E)



Office of the Attorney General
Washington, D. C. 20530

APRIL 6, 2018

MEMORANDUM FOR FEDERAL PROSECUTORS ALONG THE SOUTHWEST BORDER

FROM:

THE ATTORNEY GENERAL

A handwritten signature of the Attorney General, with the date "4/6/18" written next to it.

SUBJECT:

Zero-Tolerance for Offenses Under 8 U.S.C. § 1325(a)

On April 11, 2017, I issued a memorandum to all federal prosecutors entitled “Renewed Commitment to Criminal Immigration Enforcement,” in which I directed the prioritization of the prosecution of certain criminal immigration offenses. I further directed each United States Attorney’s Office along the Southwest Border to work with the Department of Homeland Security to develop guidelines for prosecuting offenses under 8 U.S.C. § 1325(a).

Those seeking to further an illegal goal constantly alter their tactics to take advantage of weak points. That means we must effectively respond with smart changes also. The recent increase in aliens illegally crossing our Southwest Border requires an updated approach. Past prosecution initiatives in certain districts—such as Operation Streamline—led to a decrease in illegal activities in those districts. We must continue to execute effective policies to meet new challenges.

Accordingly, I direct each United States Attorney’s Office along the Southwest Border—to the extent practicable, and in consultation with DHS—to adopt immediately a zero-tolerance policy for all offenses referred for prosecution under section 1325(a). This zero-tolerance policy shall supersede any existing policies. If adopting such a policy requires additional resources, each office shall identify and request such additional resources.

You are on the front lines of this battle. I respect you and your team. Your dedication and insight into border reality is invaluable. Keep us informed, and don’t hesitate to give us suggestions for improvement. Remember, our goal is not simply more cases. It is to end the illegality in our immigration system.

This guidance is not intended to, does not, and may not be relied upon to create, any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.